

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
FIFTY-EIGHTH LEGISLATURE

THIRTY-SEVENTH LEGISLATIVE DAY  
TUESDAY, FEBRUARY 15, 2005

Senate Chamber

President Risch called the Senate to order at 10:45 a.m.

Roll call showed all members present except Senators Cameron, Hill, Keough, Lodge, Marley, Pearce, Sweet, and Werk, absent and excused.

Prayer was offered by Chaplain Don Hardenbrook.

The Pledge of Allegiance was led by Brittany Mullen, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 14, 2005, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

Senators Hill, Keough, Lodge, Marley, Pearce, Sweet, and Werk were recorded present at this order of business.

February 15, 2005

The JUDICIARY AND RULES Committee reports that S 1113, S 1114, S 1115, S 1116, S 1117, S 1118, S 1119, S 1120, S 1121, S 1122, S 1123, S 1124, S 1125, S 1126, S 1127, S 1128, S 1129, S 1130, S 1131, S 1132, S 1133, S 1134, S 1135, S 1136, S 1137, S 1138, S 1139, S 1140, S 1141, S 1142, S 1143, S 1144, S 1145, S 1146, S 1147, S 1148, S 1149, SJM 102, SJM 103, SJM 104, SJM 105, SJM 106, SCR 109, SCR 110, SCR 111, SJR 102, and SR 105 have been correctly printed.

DARRINGTON, Chairman

S 1113 was referred to the Agricultural Affairs Committee.

S 1114, S 1115, S 1117, S 1124, S 1125, and S 1126 were referred to the State Affairs Committee.

S 1116, S 1118, S 1138, and S 1139 were referred to Resources and Environment Committee.

S 1119, S 1120, S 1121, S 1122, S 1134, S 1135, S 1136, and S 1137 were referred to the Judiciary and Rules Committee.

S 1123, S 1144, S 1145, S 1146, S 1147, S 1148, S 1149, and SJR 102 were referred to the Education Committee.

S 1127, S 1128, S 1129, S 1130, S 1131, S 1132, and S 1133 were referred to the Transportation Committee.

S 1140, S 1141, S 1142, and S 1143 were referred to the Health and Welfare Committee.

SCR 109 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Goedde, granted by unanimous consent, SJM 106 and SCR 111 were referred to the Education Committee.

On request by Senator Compton, granted by unanimous consent, SJM 105 and SCR 110 were referred to the Health and Welfare Committee.

On request by Senator Schroeder, granted by unanimous consent, SJM 102, SJM 103, and SJM 104 were referred to the Resources and Environment Committee.

On request by Senator Davis, granted by unanimous consent, SR 105 was referred to the Judiciary and Rules Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

### Messages from the Governor

February 14, 2005

The Honorable James E. Risch  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1026, S 1029

Sincerely,  
/s/ Dirk Kempthorne  
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

#### **Messages from the House**

Senator Cameron was recorded present at this order of business.

February 14, 2005

Mr. President:

I transmit herewith **H 59**, **HCR 7**, **H 39**, **H 40**, and **H 53** which have passed the House.

JUKER, Chief Clerk

**H 59**, **HCR 7**, **H 39**, **H 40**, and **H 53** were filed for first reading.

The Senate advanced to the Tenth Order of Business.

#### **Motions and Resolutions**

The President announced that **SCR 108** was before the Senate for final consideration.

Moved by Senator Stegner, seconded by Senator Stennett, that **SCR 108** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Noble, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 34.

NAYS--Darrington. Total - 1.

Total - 35.

Whereupon the President declared **SCR 108** adopted, title was approved, and the resolution ordered transmitted to the House.

On request by President Pro Tempore Geddes, granted by unanimous consent, **SCR 101** was recommitted to the State Affairs Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

#### **Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials**

**H 59**, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

**HCR 7**, by Judiciary, Rules, and Administration Committee, was introduced, read at length, and referred to the Judiciary and Rules Committee.

**H 39**, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

**H 40** and **H 53**, by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

#### **Second Reading of Bills**

**S 1034** and **S 1035**, by Resources and Environment Committee, were read the second time at length and filed for third reading.

**S 1061**, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

#### **Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 12 noon until the hour of 10:30 a.m., Wednesday, February 16, 2005.

JAMES E. RISCH, President

Attest: JEANNINE WOOD, Secretary